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Dear Senator,

I was informed some time ago by a former Senator that 'by the time committees ask for public comment, the committees have already determined how they will vote'.

This was confirmed when I took the time and expense to travel to Helena to give my comments to the committee regarding the Confederated Salish & Kootenai Tribes, The State of Montana and United States of America (the Water Compact). When I attempted to explain why I was concerned about the Compact, the Chairman of the Committee informed me that all they were interested in was a yes or no for the Compact. They did not have time to hear everyone's concerns. This confirmed what I had been told earlier by the Senator.

I was not allowed to draw attention to a section of this Water Compact consisting of 11 sentences. See working draft 7/28/2010; Article IV, #7 'Waiver of Immunity. I have reviewed the latest working draft 10/27/2014; Article IV, page 56, #8 and found the page and #8 are the only changes made to the Waiver.

This Waiver of Immunity should be deleted from the Water Compact. Specifically the first 5 lines which says; 'The Tribes & The State Hereby Waive Their Respective Immunities From Suit, Including Any Defense The State Shall Have Under The Eleventh Amendment of The Constitution Of The United States, in Order To Permit The Resolution Of Disputes Under The Compact By The Board & The Appeal Or Judicial Enforcement Of Board Decisions As Provided Herein.

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Why would the State of Montana waive our protection of our United States Constitution and the 11th Amendment, allowing a board of 5 voting members such powerful authority over Montana Waiver usage.

I urge you to consider my concerns when working with the Water Compact.

Sincerely,

Bobby Carroll